RESOLUTIONS INTRODUCED

108.121.16R	A RESOLUTION MAKING ENVIRONMENTAL DETERMINATIONS WITH RESPECT TO A PROPOSED AMENDMENT TO THE FINANCING AGREEMENT BY AND AMONG THE CITY OF ALBANY, THE ALBANY WATER BOARD AND THE ALBANY MUNICIPAL WATER FINANCE AUTHORITY AND APPROVING SUCH PROPOSED AMENDMENT TO THE FINANCING AGREEMENT
109.121.16R	RESOLUTION OF THE COMMON COUNCIL ESTABLISHING THE LOCALLY-ADJUSTED BASE PROPORTIONS OF THE HOMESTEAD AND NON-HOMESTEAD CLASSES FOR PROPERTY TAX PURPOSES PURSUANT TO ARTICLE 19 OF THE REAL PROPERTY TAX LAW
110.121.16R	RESOLUTION OF THE COMMON COUNCIL CONSENTING TO BUDGET ADJUSTMENTS IN THE DEPARTMENT OF PUBLIC RECORDS
111.121.16R	RESOLUTION OF THE COMMON COUNCIL APPROVING A SCHEDULE OF CURBSIDE COLLECTION PROGRAM FEES FOR 2017 PURSUANT TO SECTION 313-3(I) OF THE CODE OF THE CITY OF ALBANY
112.121.16R	RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE LEVY UPON CITY OF ALBANY PROPERTIES FOR UNPAID WATER AND SEWER CHARGES
113.121.16R	RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE LEVY UPON CITY OF ALBANY PROPERTIES FOR UNPAID CHARGES OF THE DEPARTMENT OF FIRE AND EMERGENCY SERVICES, DEPARTMENT OF BUILDING AND CODES AND THE DEPARTMENT OF GENERAL SERVICES

Council Member	offered	the	following:

RESOLUTION NUMBER 108.121.16R

A RESOLUTION MAKING ENVIRONMENTAL DETERMINATIONS WITH RESPECT TO A PROPOSED AMENDMENT TO THE FINANCING AGREEMENT BY AND AMONG THE CITY OF ALBANY, THE ALBANY WATER BOARD AND THE ALBANY MUNICIPAL WATER FINANCE AUTHORITY AND APPROVING SUCH PROPOSED AMENDMENT TO THE FINANCING AGREEMENT

WHEREAS, pursuant to Section 1115-h(1) of the Public Authorities Law of the State of New York (the "Act"), the Albany Water Board (the "Board"), the City of Albany (the "City") and the Albany Municipal Water Finance Authority (the "Authority") have entered into an agreement dated as of October 1, 1987 (the "Financing Agreement") for the purposes of providing for the construction and financing of certain projects described in Appendix A to the Financing Agreement; and

WHEREAS, the Authority has for the past 29 years been financing projects identified in the Financing Agreement through the issuance of its bonds and other obligations under the terms of its Water and Sewer System General Revenue Bond Resolution adopted January 22, 1988 (the "1988 General Resolution") and its Second Water and Sewer System General Revenue Bond Resolution adopted June 20, 2003 (the "2003 General Resolution"), and supplements to each such resolutions adopted by the Authority from time to time; and

WHEREAS, the Board now proposes to add to Appendix A of the Financing Agreement certain capital projects of the Board, comprised of various repairs, replacements, additions and improvements to the System (as defined in the Act); and

WHEREAS, the Authority now proposes to adopt a Second Water and Sewer System General Revenue Bond Resolution (the "Second General Resolution") that will provide the Authority with additional flexibility in the issuance of its obligations and allow the Authority to take advantage of currently low interest rates and thus borrowing costs by the issuance of bonds to (a) finance such additional capital projects of the Board and (b) the refinancing of certain of the Authority's existing obligations; and

WHEREAS, both the addition of projects to Appendix A of the Financing Agreement and the issuance of bonds by the Authority under the Second General Resolution will require the amendment of the Financing Agreement; and

WHEREAS, the amendment of the Financing Agreement requires the approval by resolution of the City, the Board and the Authority; and

WHEREAS, in accordance with the requirements of Sections 1115-h(4) and 1115-h(6) of the Act, a public hearing concerning the proposed amendments of the Financing Agreement was held on July 25, 2016; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations (the "Regulations") of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively, the "SEQR Act"), the City is required review any proposed "action" (as defined by the SEQR Act) to be taken by the City as to its potential environmental impact;

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1. It is hereby found and determined that proposed amendment of the Financing Agreement, the undertaking and completion by the Board of the projects proposed to be added to Appendix A of the Financing Agreement and the issuance by the Authority of obligations to finance such projects all constitute Type II Actions under the SEQR Act, for which no further environmental review is required (the projects proposed to be undertaken by the Board all involving either replacement, rehabilitation, reconstruction, maintenance, and repair of facilities in kind, on the same sites, with no substantial changes in existing structures or facilities or other Type II Actions under the SEQR Act).
- 2. The amendment to the Financing Agreement in substantially the form before this meeting is hereby approved, including the addition of projects to Appendix A of the Financing Agreement as described in Appendix A of this Resolution.
- 3. The officers of the City are hereby authorized and directed for and in the name of the City to execute and deliver such amended Financing Agreement and all such documents, certificates and instruments and to perform all such further acts as in the opinion of the officer acting may be necessary or desirable to effect the purposes of this Resolution.
 - 4. This Resolution shall take effect immediately.

To: Gerald Campbell, City Clerk

From: Marisa Franchini, First Assistant Corporation Counsel

Re: Request for Common Council Legislation

Supporting Memorandum

Date: November 25, 2016

RESOLUTION NUMBER 108.121.16R

TITLE

A RESOLUTION MAKING ENVIRONMENTAL DETERMINATIONS WITH
RESPECT TO A PROPOSED AMENDMENT TO THE FINANCING AGREEMENT BY
AND AMONG THE CITY OF ALBANY, THE ALBANY WATER BOARD AND THE
ALBANY MUNICIPAL WATER FINANCE AUTHORITY AND APPROVING SUCH
PROPOSED AMENDMENT TO THE FINANCING AGREEMENT

GENERAL PURPOSE OF LEGISLATION

This resolution would 1. Authorit5y has declared, certain Water Board projects Type II Actions under the SEQR Act, for which no further environmental review is required (the projects proposed to be undertaken by the Board all involving either replacement, rehabilitation, reconstruction, maintenance, and repair of facilities in kind, on the same sites, with no substantial changes in existing structures or facilities or other Type II Actions under the SEQR Act).; approve an amendment to the Financing Agreement to add additional projects; and 3. The officers of the City are hereby authorized and directed for and in the name of the City to execute and deliver such amended Financing Agreement and all such documents, certificates and instruments and to perform all such further acts as in the opinion of the officer acting may be necessary or desirable to effect the purposes of this Resolution.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Section 2.1 of the Financing Agreement provides that upon the decision by the Authority and the Board to undertake additional capital projects (the "Additional Projects"), and the determination by the Authority to finance the Additional Projects by the issuance of obligations by the Authority, the Financing Agreement must be amended to include the Additional Projects. As a party to the financing agreement, the City must approve such amendments.

XPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE	
/A	
PECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)	
/A	

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A		
FISCAL IMPACT(S)		

Council Member

offered the following:

Resolution Number 109.121.16R

RESOLUTION OF THE COMMON COUNCIL ESTABLISHING THE LOCALLY-ADJUSTED BASE PROPORTIONS OF THE HOMESTEAD AND NON-HOMESTEAD CLASSES FOR PROPERTY TAX PURPOSES PURSUANT TO ARTICLE 19 OF THE REAL PROPERTY TAX LAW

WHEREAS, by Local Law No. 1-1998, the Common Council adopted the provisions of Section 1903 of the Real property Tax Law relating to the establishment of homestead and non-homestead base proportions; and

WHEREAS, pursuant to Section 1903(4) of the Real Property Tax Law, the City of Albany has amended its differential from twenty-five percent to zero percent; and

WHEREAS, pursuant to Section 1903 of the Real Property Tax Law, the locally-adjusted homestead base proportion of the City of Albany's base year assessment roll of 2016 has been determined to be 56.92 percent; and

WHEREAS, pursuant to Section 1903 of the Real Property Tax Law, the locally-adjusted non-homestead base proportion of the City of Albany's base year assessment roll of 201 has been determined to be 43.08 percent.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany does hereby establish the existing class shares as follows:

The locally-adjusted homestead base proportion shall equal 56.92 percent and the locally-adjusted non-homestead base proportion shall equal 43.08 percent.

To: Gerald Campbell, Acting City Clerk

From: Marisa Franchini, First Assistant Corporation Counsel

Re: Request for Common Council Legislation

Supporting Memorandum

Date: November 25, 2016

RESOLUTION NUMBER 109.121.16R

TITLE

RESOLUTION OF COMMON COUNCIL ESTABLISHING THE LOCALLY-ADJUSTED BASE PROPORTIONS OF THE HOMESTEAD AND NON-HOMESTEAD CLASSES FOR PROPERTY TAX PURPOSES PURSUANT TO ARTICLE 19 OF THE REAL PROPERTY TAX LAW.

GENERAL PURPOSE OF LEGISLATION

To establish the locally-adjusted base proportions of taxable value for the homestead and non-homestead classes regarding the City's 2016 assessment roll for property taxes payable in January, 2017.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

To be in compliance with Article 19 of the NYS Real Property Tax Law, which requires the local legislative body in a taxing jurisdiction that has split the assessment roll into homestead and non-homestead classes, to calculate the current and adjusted base proportions of the two classes.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

Setting the percentages is required prior to the levy of taxes on the assessment roll.

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (IF AP)	PPLICABLE
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N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (IF APPLICABLE)

N/A ______

FISCAL IMPACT(S)

N/A

Resolution Number 110.121.16R

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO BUDGET ADJUSTMENTS IN THE DEPARTMENT OF PUBLIC RECORDS

WHEREAS, Section 604(D)(b) of the Charter of the City of Albany dictates that any transfer of budgeted funds that affects a salary total that occurs outside of those described in the duly adopted budget must be consented to by the Common Council; and

WHEREAS, it is recognized that the needs of the Department of Public Records (the Department) requires the skills and abilities of a Records Manager and a Microfilm Aide; and

WHEREAS, it is recognized that the needs of the Department require the skills and abilities of these two currently funded positions; and

WHEREAS, it is recognized that the total budgeted cost of continuing to fund these two positions is \$169,255.00 in the 2017 Budget;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany consents to the transfer of funds affecting salary totals due to the funding of the positions of Records Manager and Microfilm Aide in the Department of Public Records in the 2017 Budget.

RESOLVED, that this resolution shall take effect immediately.

To: Gerald Campbell, City Clerk

From: Marisa Franchini, First Assistant Corporation Counsel

Re: Request for Common Council Legislation

Supporting Memorandum

Date: November 25, 2016

RESOLUTION NUMBER 110.121.16R

TITLE

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO BUDGET ADJUSTMENTS IN THE DEPARTMENT OF PUBLIC RECORDS

GENERAL PURPOSE OF LEGISLATION

Consent by the Council to amend the Department of Public Records 2017 budget to continue the employment of two records employees that were inadvertently left out of the Mayor's proposed 2017 budget.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Required by City Charter.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

 N/Δ

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

\$169,225 will be shifted from APD's budgeted funds, any other unnecessarily budgeted funds will be put in contingency.

Council Member Doesschate introduced the following:

Resolution Number 111.121.16R

RESOLUTION OF THE COMMON COUNCIL APPROVING A SCHEDULE OF CURBSIDE COLLECTION PROGRAM FEES FOR 2017 PURSUANT TO SECTION 313-3(I) OF THE CODE OF THE CITY OF ALBANY

- **WHEREAS,** pursuant to Section 313-3(I) of the Code of the City of Albany the Common Council of the City of Albany has the authority to approve annual curbside collection fees; and
- **WHEREAS**, the Solid Waste Management Plan advisory group has recommended that the city develop an equitable waste management program that provides an incentive for residents to recycle and reduce the amount of trash that is sent to our landfill that is rapidly filling up; and
- **WHEREAS**, the Mayor's budget recognizes the need to extend the life of the landfill until at least 2023 and has proposed to reduce the amount of revenues from the landfill in the 2017 budget by over 2.4 million dollars; and
- WHEREAS, the Common Council recognizes that it is in the best interests of the city and its residents to encourage residents to also reduce the amount of waste that is sent to the landfill; and
- **WHEREAS,** the Solid Waste Management Plan advisory group specifically recommended that the city develop a waste management fee that is based upon the volume of trash residents leave curbside for collection in order to reduce the amount of trash sent to our landfill; and
- **WHEREAS**, the Mayor and the city administration has expressed agreement that it is appropriate to move forward with the development of such a plan; and
- **WHEREAS,** the current curbside waste collection fee program was only intended to be a short term measure while the city develops a waste management program that establishes waste collection fees based upon the volume of trash disposed of by residents; and
- **WHEREAS**, the Common Council recognizes the inequities of the current curbside waste collection fee; and
- **WHEREAS,** the Common Council believes it is appropriate to provide relief to homeowners and residents paying the current fee while recognizing that the city's current fiscal situation does not allow for the repeal of the fee; and
- **WHEREAS,** the Common Council believes it is appropriate to terminate the current curbside waste collection fee structure as soon as possible;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany hereby approves the following annual curbside collection program fees for the 2017 fiscal year only:

Single Family	\$0.00
2 Unit	\$135.00
3 Unit	\$270.00
4 Unit	\$405.00

AND, BE IT FURTHER RESOLVED, that the Common Council of the City of Albany directs the Commissioner of the Department of General Services, in consultation with the Common Council, to develop a curbside waste collection fee structure for the fiscal year 2018 and thereafter that is based upon the volume of trash disposed of at each residence and to report to the Common Council no later than April 1, 2017 on the progress in developing such a program and fee structure; and

BE IT FURTHER RESOLVED, that the Council directs the Commissioner of the Department of General Services, in consultation with the Common Council, to immediately increase efforts to educate residents about appropriate recycling practices, and to report to the Common Council no later than April 1, 2017, and each month thereafter, regarding all educational efforts engaged in and the number of residents contacted, and the volume of recycling materials collected each month.

To: Gerald Campbell, Acting City Clerk

From: Judy L. Doesschate

Re: Supporting Memorandum

Date: November 25, 2016

RESOLUTION NUMBER 111.121.16R

TITLE

RESOLUTION OF THE COMMON COUNCIL APPROVING THE CURBSIDE COLLECTION PROGRAM FEES

GENERAL PURPOSE OF LEGISLATION

To approve the curbside collection program fees for the City for the 2017 fiscal year and require the Department of General Services to develop a volume based waste management fee for 2018.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW <u>Pursuant to Section 313-3(I) of the Code of the City of the City Of Albany, the Council must annually approve the curbside collection program fees.</u>

FISCAL IMPACT(S)

Provides revenue for the 2017 fiscal year.

Resolution Number 112.121.16R

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE LEVY UPON CITY OF ALBANY PROPERTIES FOR UNPAID WATER AND SEWER CHARGES

WHEREAS, Section 604(e) of the Charter of City of Albany states that "all water and sewer charges shall be collected by the City Treasurer in the manner set forth in Second Class Cities Law and be a lien upon the property assessed as a general City tax and as a part thereof shall be levied and collected" pursuant to the procedures set forth in Section 604 of the City Charter; and

WHEREAS, Public Authorities Law Section 1115-i(9) calls for all unpaid water and sewer charges in the preceding year to be levied and placed on annual tax rolls of the City of Albany under the name "delinquent water and sewer charges"; and

WHEREAS, the Chief Financial Officer of the Albany Water Board has filed with the City of Albany a statement of unpaid water and sewer charges for the year 2016 totaling \$3,728,898.07.

NOW, THEREFORE BE IT RESOLVED, by the City of Albany Common Council that there be a delinquent water and sewer charge levied and assessed against each specific lot or parcel of land as set forth in the statement of unpaid water and sewer charges for the year 2016 by the Albany Water Board.

BE IT FURTHER RESOLVED, that such individual sums, being hereby levied against said liable properties, amounting in the aggregate to \$3,851,800.84 shall be placed on the 2017 tax roll of the City of Albany and further allocated individually to the liable properties in conjunction with said properties' 2017 tax bills.

RESOLVED, that the Clerk of the City of Albany is directed to forward a certified copy of this resolution to the Treasurer of the City of Albany.

To: Gerald Campbell, Acting City Clerk
From: Marisa Franchini, First Deputy Corporation Counsel

Re: Request for Common Council Legislation

Supporting Memorandum

Date: November 25, 2016

RESOLUTION NUMBER 112.121.16R

TITLE

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE LEVY UPON CITY OF ALBANY PROPERTIES FOR UNPAID WATER AND SEWER CHARGES

GENERAL PURPOSE OF LEGISLATION

TO AUTHORIZE THAT UNPAID WATER AND SEWER CHARGES THAT WERE BILLED IN 2016 CAN BE VALIDLY LEVIED ON THE 2016 TAX ROLL AND APPEAR ON INDIVIDUAL 2017 CITY TAX BILLS.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

ADOPTION IS NECESSARY SO THAT THE DELIQUENT WATER CHARGES CAN BE ADDED TO THE 2017 TAX BILLS AND BE BILLED IN JANUARY. THIS WILL THEN ENABLE THE CITY TREASURER TO RELEVY ANY UNPAID DELINQUENT WATER CHARGES TO ALBANY COUNTY IN 2018.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

PASSAGE PRIOR TO THE END OF THE YEAR IS REQUESTED IN ORDER TO PLACE DELIQUENT AMOUNTS ON THE 2017 TAX BILLS MAILED IN JANUARY 2017.

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

\$3,851,800.84

Resolution Number 113.121.16R

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE LEVY UPON CITY OF ALBANY PROPERTIES FOR UNPAID CHARGES OF THE DEPARTMENT OF FIRE AND EMERGENCY SERVICES, DEPARTMENT OF BUILDING AND CODES AND THE DEPARTMENT OF GENERAL SERVICES

WHEREAS, the Department of Fire and Emergency Services was created under Part 2 of Chapter 42 of the Code of the City of Albany; and

WHEREAS, the Department of Building and Codes was created under Part 2 of Chapter 42 of the Code of the City of Albany; and

WHEREAS, the Department of General Services was created under Part 5 of Chapter 42 of the Code of the City of Albany; and

WHEREAS, all of the above-referenced departments have the ability to apply charges to real property the services they perform at those properties during the course of any tax year; and

WHEREAS, those charges are transmitted to the Treasurer of the City of Albany and collected by the Treasurer; and

WHEREAS, Chapter 258, Section 258-2 of the Code of the City of Albany provides that "any unpaid fees, fines or penalties levied against property, or owner(s) thereof, within the City of Albany that are owed to the City of Albany for the violation of any or all City laws, ordinances and promulgations, and of all state laws, shall be and remain a lien against the property, and such fees, fines or penalties shall be collected by the City from the owner(s) of such property in the same manner as taxes are collected, in that such fees, fines or penalties shall be added to the property tax bill of the subject property"; and

WHEREAS, on or about November 15 of each year, the Treasurer creates an accounting of all these charges that remain uncollected from the preceding year; and

WHEREAS, all of these charges uncollected in the preceding year need to be levied and placed on the annual tax roll of the City of Albany; and

WHEREAS, the Treasurer of the City of Albany has filed with the Common Council a statement of unpaid charges for the year 2016 totaling \$2,354,683.06

NOW, THEREFORE BE IT RESOLVED, by the City of Albany Common Council that there be delinquent charges levied and assessed against each specific lot or parcel of land as set forth in the statement of unpaid charges for the year 2016 by the City of Albany.

BE IT FURTHER RESOLVED, that such individual sums, being hereby levied against

said liable properties, amounting in the aggregate to \$2,354,683.06, shall be placed on the 2017 tax roll of the City of Albany and further allocated individually to the liable properties in conjunction with said properties' 2017 tax bills.

RESOLVED, that the charges totaling \$2,354,683.06 represent the following:

- 1) Delinquent Board Up Charges \$25,499.15
- 2) Delinquent Demolition Charges \$1,162,130.36
- 3) Delinquent Illegal Debris Charges \$386,931.37
- 4) Delinquent Snow Removal Charges \$0
- 5) Waste Collection Fees \$775,456.50

RESOLVED, that the Clerk of the City of Albany is directed to forward a certified copy of this resolution to the Treasurer of the City of Albany.

To: Nala R. Woodard, City Clerk From: Marisa Franchini, First Assistant Corporation Counsel **Request for Common Council Legislation** Re: **Supporting Memorandum** Date: November 25, 2016 **RESOLUTION NUMBER 113.121.16R** TITLE RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE LEVY UPON CITY OF ALBANY PROPERTIES FOR UNPAID CHARGES GENERATED BY THE VARIOUS DEPARTMENTS OF THE CITY OF ALBANY GENERAL PURPOSE OF LEGISLATION TO AUTHORIZE THAT UNPAID CHARGES FROM THE VARIOUS CITY OF ALBANY DEPARTMENTS THAT WERE BILLED IN 2016 BE VALIDLY LEVIED ON THE 2017 TAX ROLL AND APPEAR ON INDIVIDUAL 2017 CITY TAX BILLS. NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW ADOPTION IS NECESSARY SO THAT DELIQUENT CHARGES CAN BE ADDED TO THE 2017 TAX BILLS IN JANUARY. COMMON COUNCIL AUTHORIZATION OF THESE CHARGES AS TAXES WILL THEN ENABLE THE CITY TREASURER TO RELEVY ANY UNPAID CHARGES TO ALBANY COUNTY IN 2018. EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE PASSAGE IS REQUESTED AS SOON AS POSSIBLE PRIOR TO THE END OF THE YEAR IN ORDER TO PLACE DELIQUENT AMOUNTS ON THE 2017 TAX BILLS MAILED IN JANUARY 2017. SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable) SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

FISCAL IMPACT(S) \$2,354,683.06